

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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RODGER JENKINS and GREGORY JONES

Plaintiffs,

-against-

XPRESSPA GROUP, INC.,

Defendant.
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19-CV-1774 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on January 3, 2020, the parties appeared before this Court for a conference;

WHEREAS on November 27, 2019, Plaintiffs moved to amend the Second Amended Complaint, *see* Dkt. 58;

WHEREAS on December 3, 2019, Defendant opposed Plaintiffs' motion to amend and filed a cross-motion to dismiss under Fed. R. Civ. P. 12(c), *see* Dkt. 60;

IT IS HEREBY ORDERED that Defendant's cross-motion to dismiss or, in the alternative, to strike is DENIED for the reasons stated on the record.

IT IS FURTHER ORDERED that Plaintiffs' motion for leave to amend the Second Amended Complaint is GRANTED for the reasons stated on the record. Plaintiffs must file the Third Amended Complaint no later than **January 6, 2020**.

IT IS FURTHER ORDERED that fact discovery is extended to **February 28, 2020**.

IT IS FURTHER ORDERED that Plaintiffs' motion regarding Defendant's Fed. R. Civ. P. 30(b)(6) deposition is due no later than **January 24, 2020**. Defendant's response is due **February 3, 2020**. Plaintiffs' reply, if any, is due **February 10, 2020**.

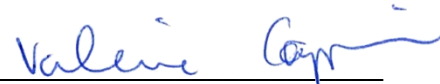
IT IS FURTHER ORDERED that a trial in this case is scheduled for **May 18, 2020**.

Motions *in limine*, if any, are due no later than **March 27, 2020**, with responses due **April 10, 2020**. The parties' joint pretrial submissions are due no later than **April 24, 2020**, in accordance with the undersigned's Individual Rules. The Court will hold a pretrial conference on **May 7, 2020, at 2:00 p.m.**

The Court will also refer this case to settlement via separate order. The Clerk of Court is respectfully directed to close the open motions on Dkts. 58 and 60.

SO ORDERED.

Date: January 3, 2020
New York, New York


VALERIE CAPRONI
United States District Judge